AFFIDAVIT

-431-611

STATE OF ALABAMA)

SHELBY COUNTY ...)

Personally came and appeared before me, S. A. Lokey, a Notary Public for the State of Alabama at large, W. W. Davis, who after being by me first duly sworn according to law to speak the truth, deposeth and says:

My name is W. W. Davis. I am 65 years of age and a resident of Calhoun County, Alabama, and have been for 26 years. I am well acquainted with the following described land:

The Southwest quarter of the Southeast quarter and the West half of the Southeast Quarter of the Southeast quarter of Section east quarter of Section 2 and the Northwest quarter and northwest quarter of Northeast quarter of Section 11 all in Township 21, Range 1 East.

Except the Chapel Church and grave yard lots containing 2 acres more or less and also except the right of way of the Southern Railroad and the right of way of the paved highway through said land.

I owned this place and lived on it from 1916 to 1920 when I bargained to sell it to one, W. J. Mobbs. I gave Mobbs a contract of sale in 1920 and he went into possession of the land and I moved to Calhoun County. I do not remember ever signing any deed to Mr. Mobbs but do remember that I told him and my attorney that I would not give him a deed until he had paid the consideration. Mobbs wished to raise some money and the lawyer who was handling the transaction between us suggested that if he would execute a mortgage to me for the balance of the price of the

property that he thought that he could sell the mortgage and in that way raise the money. Mobbs executed the mortgage to me and I presume that the attorned had it put on record, I did not. At the time I sold Mobbs the above described land I sold him four mules and part of my farm equipment. After about eleven months I was notifed that he had abandoned the place and that my mules were starving. I then went back into possession of the property and upon advise of my attorney had the mortgage which Mobbs had given me, forclosed. My attorney lived in Anniston and he got someone in Columbiana to sell the property at the foreclosure sale, I do not remember who, but I do remember that I was at the sale and bid the place in for the amount owing me by Mobbs, my bid being the highest made and after fair warning the auctioneer sold it to me. My attorney was to prepare the foreclosure deed and file it for record. I do not know whether he did this or not, but I neger saw it.

Before the foreclosure sale I took possession of the property and rented it to tennants who lived on and cultivated it for three years. I then sold the land to Mrs. Dee Waldrop and Mrs. Nannie Scarbrough. The paid me cash and I have had no connection with the property since. At the time I had dealings with Mobbs he was a man of at least 60 years of age and not very robust and appeared to be in poor health. I have no seen nor heard from him since but feel confident that he is dead before this time. He has made no claims to me to the property since the foreclosure sale as above said.

Mrs. Amy S. Davis who was my wife at the time I had dealings with Mobbs and who was interest in the property allowed me to handle me all our business affiars and she had no knowledge of the transaction betweenme and Mobbs except what I told her and that was very little. She signed the papers which I ask her to sign which was only the contract of sale as I remember. My attorney and I met Mr. Mobbs in Talladega which is half way between the farm and Anniston and the business was all transacted there and my wife was not present.

W. W. DAVIS

Sworn to and subscribed before me this the 26th day of August, 1946.

S. A. LOKEY, NOTARY PUBLIC

Filed in this office for record on the 29th day of August 1946 at 3 p.m. and duly recorded in Deed Record 126, Page 255 on the 30th day of August 1946.

NO TAX DUE ON THIS INSTRUMENT

L. C. WALKER, JUDGE OF PROBATE